

Appl. No. 09/665,200
Amdt. Dated November 2, 2005
Reply to Office action of October 12, 2005
Attorney Docket No. P13183-US2
EUS/J/P/05-1289

REMARKS/ARGUMENTS

1.) Claim Amendments

Claims 1 and 9 have been amended to more particularly point out and distinctly claim the subject matter that Applicants regard as the invention. Claims 1-4, 6-12 and 14-16 remain pending in the application.

2.) Allowable Subject Matter

The Examiner has objected to Claims 6-8 and 14-16 as being dependent upon rejected base claims, but indicated such claims would be allowable if rewritten in independent form, including the limitations of their respective base claims and any intervening claims. The Applicants thank the Examiner for the indication of allowable subject matter. The Applicants, however, believe the base claims to be patentable over the references of record and, therefore, decline to so amend any of claims 6-8 and 14-16.

3.) Claim Rejections – 35 U.S.C. §102(e) / §103(a)

The Examiner has maintained his prior rejections of claims 1-4 and 9-12. For the reasons that follow, the Applicants traverse the Examiner's rejection of the claims.

First, it is to be remembered that anticipation requires that the disclosure of a single piece of prior art reveals every element, or limitation, of a claimed invention. Furthermore, the limitations that must be met by an anticipatory reference are those set forth in each statement of function in a claims limitations, and such a limitation cannot be met by an element in a reference that performs a different function, even though it may be part of a device embodying the same general overall concept. Yellin fails to disclose each and every limitation of Applicants' claims and, therefore, the claims are not anticipated.

Claim 1 recites:

1. A method of reducing signal processing delay time in a CDMA cellular communications system, the method comprising:
processing a data frame according to a first process;

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simultaneously processing said data frame according to a second process in parallel to said first process, wherein said second process uses an interference cancellation algorithm; and

combining selected segments of said data frame processed according to said first process with selected segments of said data frame simultaneously processed according to said second process, wherein data generated from processing said data frame by said first processor supplements data generated from processing said data frame by said second processor to minimize delays otherwise incurred by said interference cancellation algorithm. (emphasis added)

Applicants' invention is characterized by the processing of a data frame according to first and second processes in parallel; the second process uses an interference cancellation algorithm. Subsequently, selected segments of the data frame processed according to the first process are combined with selected segments of the data frame simultaneously processed according to the second process. As noted in Applicants' disclosure, and as explicitly recited in claim 1, the invention relies on data from the first process to supplement data from the interference cancellation process in order to minimize the delays generally incurred by such an interference cancellation process. That aspect of the functionality recited in claim 1 is not taught by Yellin. In fact, the Examiner has previously recognized this deficiency of Yellin in the Office Action dated August 9, 2005, wherein, in rejecting Applicants' prior arguments, he stated that such functionality ("features") were not recited in the then rejected claims. The Applicants have now, however, explicitly amended the claims to recite that functionality, which is not disclosed by Yellin. Accordingly, claim 1 is not anticipated.

Whereas claim 9 recites limitations analogous to claim 1, that claim is also not anticipated. Furthermore, whereas claims 4 and 12 are dependent upon claims 1 and 9, respectively, and include the limitations thereof, those claims are also patentable over Yellin.

The Examiner also rejected claims 2, 3, 10 and 11 as being unpatentable over Yellin in view of admitted prior art. Those claims, however, are dependent from claims 1 and 9, respectively, and include the limitations thereof. Thus, whereas claims 1 and 9 have been shown *supra* to be patentable over Yellin, claims 2-3 and 10-11 are also patentable over Yellin in view of any admitted prior art.

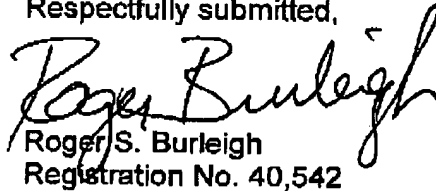
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CONCLUSION

In view of the foregoing amendments and remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-4, 6-12 and 14-16.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,


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